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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 21st February 2009

No. 1837—li/1(B)-205/1994(Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 4th February 2009 in Industrial Dispute Case No. 91 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of Paradeep Port Wholesale Co-operative Stores Limited, At/P.O. Paradeep Port, Dist. Jagatsinghpur and their workman Shri Shyam Sundar Swain was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 91 OF 2008

Dated the 4th February 2009

Present :

Shri P. C. Mishra, O.S.J.S. (Sr. Branch),
Presiding Officer, Industrial Tribunal,
Bhubaneswar.

Between :

The Secretary, .. First Party—Managements
Paradeep Port Wholesale Co-operative
Stores Limited, At/P.O. Paradeep Port,
Dist. Jagatsinghpur.
The President,
Paradeep Port Wholesale Co-operative
Stores Limited, At/P.O. Paradeep Port,
Dist. Jagatsinghpur.

And

Shri Shyam Sundar Swain, .. Second Party—Workman
At Kandiabarja, P.O. Manijanga,
P. S. Tirtol, Dist. Jagatsinghpur.

Appearances :

For both the Parties .. None

AWARD

Originally, the Government of Orissa in the Labour & Employment Department had referred the following dispute for adjudication by the Presiding Officer, Labour Court, Bhubaneswar vide its Order No. 14561—li/1(B)-205/1994-L.E., dated the 18th October 1995 but subsequently it transferred the dispute to be adjudicated by the Presiding Officer, Industrial Tribunal, Bhubaneswar vide its Order No. 4138—li/21-32/2007-L.E., dated the 4th April 2008 :—

“Whether the action of the management of M/s Paradeep Port Wholesale Co-operative Stores Limited, Paradeep Port, Dist. Jagatsinghpur in refusing employment to Shri Shyam Sundar Swain, Accounts Assistant with effect from the 25th September 1991 is legal and/or justified ? If not, what relief he is entitled to ?”

2. In this case, both the parties after filing their respective claim statement and written statement did not appear on the date of hearing. The second party-workman has not tendered any evidence to substantiate his claim, so also the management. In absence of any evidence therefore it is not possible to answer the reference in any manner. Hence, a ‘No Dispute Award’ is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. C. MISHRA
4-2-2009
Presiding Officer
Industrial Tribunal, Bhubaneswar

P. C. MISHRA
4-2-2009
Presiding Officer
Industrial Tribunal, Bhubaneswar

By order of the Governor
K. C. BASKE
Under-Secretary to Government